



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,253	08/01/2003	Peter M. Gits	062891.1113	3296
5073	7590	01/11/2006	EXAMINER	
BAKER BOTTS L.L.P.			ESCALANTE, OVIDIO	
2001 ROSS AVENUE			ART UNIT	
SUITE 600			PAPER NUMBER	
DALLAS, TX 75201-2980			2645	

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,253

Applicant(s)

GITS ET AL.

Examiner

Ovidio Escalante

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7, 15-22 is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on October 14, 2005. **Claims 1-22** are now pending in the present application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 8-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Gray et al. US Patent 6,915,285.

Regarding claim 8, Gray teaches a system for providing telecommunication service

(abstract; fig. 1; fig. 1; col. 3, lines 46-65) comprising:

a double agent, operable to generate a processing event from an incoming call request and store the event in an operating space, (col. 3, line 49-col. 4, line 45), and further operable to retrieve a processed event from the operating space and forward the incoming call request based on the processed event, (col. 4, lines 25-45; col. 9, lines 9-25);

an operating space, operable to store the processing event and operable to store the processed event, (col. 4, lines 33-44);

a plurality of rule sets, wherein each rule set comprises one or more rules for processing the incoming call request, (col. 9, line 50-col. 10, line 4); and

a processing agent operable to:

Art Unit: 2645

retrieve the processing event from the operating space, (col. 4, lines 33-45);

identify a rule set associated with the processing event, (col. 4, line 33-45; col. 7, lines 47-63; col. 9, line 50-col. 10, line 4);

generate a processed event based on the identified rule set; and store the processed event in the operating space, (col. 9, lines 1-44).

Regarding claim 9, Gray, as applied to claim 8, teaches wherein the processing event comprises an event type and wherein the operating space is further operable to notify processing agents associated with the event type that the double agent stored the processing event in the operating space, (col. 3, lines 46-65; col. 9, lines 1-44).

Regarding claim 10, Gray, as applied to claim 8, teaches wherein the incoming call request identifies a user and wherein the processing agent is further operable to identify a rule set based on the identified user, (col. 7, lines 18-24)

Regarding claim 11, Gray, as applied to claim 8, teaches wherein the one or more rules comprises a first hierarchical subset, comprising one or more rules, and a second hierarchical subset, comprising one or more rules, and wherein the processing agent is further operable to generate a processed event based on the first hierarchical subset and based on any of the rules in the second hierarchical subset that do not contradict rules in the first hierarchical subset, (col. 3, lines 46-65; col. 8, lines 2-64).

Regarding claim 13, Gray, as applied to claim 8, teaches a voicemail agent, and wherein the double agent is further operable to forward the incoming call request by:

sending a ring signal to a communication device, (col. 4, lines 25-45; col. 7, lines 47-63; col. 9, lines 9-25);

Art Unit: 2645

waiting a predetermined period of time after sending the ring service request, (col. 4, lines 25-45; col. 9, lines 9-25);

placing a voicemail event in the operating space, (col. 9, lines 21-44);

notifying a voicemail agent of that the voicemail event has been placed in the operating space, (col. 9, lines 21-44); and

forwarding the incoming call request to a voicemail system, (col. 9, lines 21-44);

Regarding claim 14, Gray, as applied to claim 8, teaches a voicemail agent, and wherein the double agent is further operable to forward the incoming call request by:

determining based on the rule set that the incoming call request should be routed to a voicemail account, (col. 7, lines 47-63; col. 9, lines 21-44);

generating a voicemail event, (col. 9, lines 21-44);

placing the voicemail event in the operating space;

notifying a voicemail agent that the voicemail event has been placed in the operating space, (col. 9, lines 21-44); and

forwarding the incoming call request to a voicemail system with the voicemail agent, (col. 9, lines 21-44).

Response to Arguments

4. Applicant's arguments filed October 14, 2005 have been fully considered but they are not persuasive.

Applicant contends that Gray fails to disclose "an operating space operable to store the processing event and operable to store the processed event." The Examiner respectfully disagrees.

Art Unit: 2645

The Event Blackboard, Agent and Arbitrator represent the operating space in which an incoming call event will be processed. The event is stored/posted on the Event Blackboard and the Event Arbitrator will intervene if two Event Agents conflict with each other as shown in col. 3, lines 44-67.

Applicant contend that Gray fails to disclose a double agent operable to “generate a processing event from an incoming call request...and further operable to retrieve a processed event from the operating space and forward the incoming call request based on the processed event.” The Examiner respectfully disagrees.

As shown in col. 4, an Event Arbitrator processes the received event and works with the conflicting agents to process the incoming call/event. Once the conflict has been settled the incoming call request is processed by the respective Event Agent and the Event Blackboard is posted with the indication. Figure 2, highlight the posting and re-positing of event between Agent A, Event Agent and Agent B.

Applicant contends that Gray fails to disclose “a processing agent operable to retrieve the processing event; ...generate a processed event based on the identified rule set; and store the processed event in the operating space.” The Examiner respectfully disagrees.

As stated above, the Event Arbitrator receives the processing event if there are two conflicting agents and based upon rule sets will determine how to process the event. Events that have been processed will be reposted to the Event Blackboard and then processing by the respective agent will be completed.

Allowable Subject Matter

5. Claims 1-7,15-22 are allowed.

Art Unit: 2645

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7537, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Art Unit: 2645

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is 571-272-7537. The examiner can normally be reached on M-Th from 6:30AM to 4:00PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OVIDIO ESCALANTE
PATENT EXAMINER

Ovidio Escalante

Ovidio Escalante
Examiner
Group 2645
January 5, 2006

O.E./oe